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DIVISION II
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STATE OF WASHINGTON
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No. 48414-5-II

COURT OF APPEALS, DIVISION 2
OF THE STATE OF WASHINGTON

Superior Court No. 14-3-02245-9

Jennifer Johnson,
Petitioner,

V.

Timothy Johnson
Respondent.

OPENING BRIEF OF APPEALLENT

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Assignments of Error

1. The trial court erred in awarding Ms. Johnson as the primary residential parent by basing its decision on the finding that Mr. Johnson and Ms. Johnson co parented during the relationship of the two.
2. The trial court erred in granting sole decision making on education and health care to the mother in the Final Parenting Plan entered on Dec. 4, 2015.
3. The trial court erred in determining who was responsible for the abusive use of conflict after the separation of Mr. and Ms. Johnson.

4. The trial court erred in its consideration of the relevancy in regards to the pornography issues and its implications.

Issues Pertaining to Assignments of Error

Shortly after filing action Ms. Johnson began collecting L&I benefits from an alleged work place injury that occurred well into the previous calendar year. Thus effectively ending her normal work schedule. During this time has Ms. Johnson shown her recent flexibility of time mean that the time would be or has been used proactively for the betterment of the minor child in this case? (Assignment of Error 1.)

Mr. Johnson asserts that during the child's life that he has consistently had the greater responsibility for the child due in part of Ms. Johnson's work schedule that prevented her from the ability to participate in such a capacity for the parenting to be evenly distributed. Is there any evidence that disputes the assertion? (Assignment of Error 1.)

Did the trial court apply appropriate weight to the factors as described in RCW 26.09.187? (Assignment of Error 1.)

Ms. Johnson has a lengthy history in regards to violence and conflict in relationships with past partners that resulted in criminal charges and even lead to her harming herself. Was this information properly allocated into the trial court decision? (Assignment of Error 3)

Throughout the trial court proceedings there was an issue on the lack of communication between the parties. Is it evident that the lack of communication was used by Ms. Johnson as a means to create confusion and conflict? (Assignment of Error 3.)

In the days leading up to trial, Ms. Johnson's Fiancé was found to have over a period of time and fairly recently created multiple websites that contained inappropriate material juxtaposed to photos of his children. Should it have been investigated in order to determine what implications it presents to the minor child in this case? (Assignment of Error 4.)

Statement of the Case

On September 24, 2015 trial began in regards to a minor child between Mr. Johnson and Ms. Johnson. The issue of who was the primary residential during the time span of the relationship was disputed by both sides. In the days leading up to the trial information was secured about websites that Ms. Johnson's Fiancé Mr. Maxwell had created websites that had inappropriate material for children. These websites were open to be viewed by the public. (RP. Vol.2, 119:22-121:16) These sites also had Ms. Johnson and one of Mr. Maxwell's children listed as friends of his personal pages. Mr. Johnson also made the assertion that Ms. Johnson was actively engaging in Abusive use of Conflict through various methods. The trial court describes that in its findings of facts and conclusions that there was no greater responsibility of the parenting duties by either parent (RP. 5:4-5:7 Nov. 02, 2015) and as with the current respective work schedules that Ms. Johnson has a greater flexibility of time since she is currently on a Labor and Industries leave of absence from work. Secondly the trial court determined that due to a lack of communication the mother would receive sole decision making as it pertains to education and healthcare. (RP. 15:21-16:2)

Argument

1. The trial court erred in awarding Ms. Johnson as the primary residential parent.

A. Mr. Johnson asserts that during the child's life that he has consistently had the greater responsibility for the child due in part of Ms. Johnson's work schedule that prevented her from the ability to participate in such a capacity for the parenting to be evenly distributed. Is there any evidence that disputes the assertion?

Co-parenting existed early on in the raising of the minor child where there was no greater responsibility given to either parent. This lasted up until the age of 3 months when the father had a temporary job end. (RP. Vol. 3, 214:3) Ms. Johnson argues that she had been the primary residential parent throughout the entirety of the relationship. But how is this possible given the circumstances? Ms. Johnson maintained jobs that incurred extremely long hours that kept her out of the house during the day to day time frame that the child would have been awake. She asserts

that she took the child to work with her. Mr. Johnson says this occurred only a couple of times early on. The trial court found in its conclusion that this did occur but does not bother to define a time frame or to what frequency this had occurred. (RP. 5:11, Nov. 02, 2015) Not clearly defining this could greatly skew what would be an important factor in determining the best decision for the child moving forward. If Ms. Johnson was taking the child to work with her consistently through the relationship it would directly interfere with many of the facts in this case. Would there be a need use day care when Mr. Johnson had obligations that the child could not attend? If Ms. Johnson is working 12 hours a day, would Mr. Johnson have had the time to build the relationships with family members? In fact if this occurred would Mr. Johnson have had anything to do with the parenting responsibility of the child? The facts of this case show otherwise. That Ms. Johnson only on the rarest occasion early in the child's life would she had the ability to take her to work with her. When she returned to work for a Kirby office part time. Coincidentally that is the only time frame that Ms. Johnson has included any detail to her assertion. (RP. Vol 3 268:5) This is the only claim Ms. Johnson herself makes that Mr. Johnson did not partake in the majority of the parenting responsibilities while the two were actively engaged in the relationship.

The trial court includes a claim that Mr. Johnson's family had to assist him in raising the child while Mr. Johnson and Ms. Johnson resided in Port Angeles. (RP. 7:19, Nov. 02, 2015) This conclusion would be in direct conflict with Ms. Johnson's claim of taking the child to work with her, at least in regards to the time frame of the couple living in Port Angeles. If Ms. Johnson took A.V.J. to her workplace within her 12 hour work day schedule how could Mr. Johnson or any of his family members have any involvement? Ms. Johnson jobs in Port Angeles consisted of a brief time commuting to Bremerton for a door to door Kirby Vacuum office, overnight hours as a in home Certified Nursing Assistant, and finally as a delivery driver for Rent-A-Center. Later she was promoted out of her function as delivery driver to an in store position for Rent-A-Center. None of these jobs present a reasonable ability to have a child present with an employee on site. The logistics of performing necessary parenting duties to a child who is one years to two years of age are not feasible and how Ms. Johnson would have accomplished them is not a part of any testimony. T. Steele the mother of Ms. Johnson, who claims to have visited Port Angeles frequently offers no testimony that collaborates this occurring.

To refer back to the trial courts depiction of the level of involvement of Mr. Johnson's parents in the raising of A.V.J., there is no basis for such a belief. It is clearly stated that all members of Mr. Johnson's family worked common 40 hour schedules. Thus during the day Mr. Johnson is at home alone with the child till the early evening. There is no testimonial or evidential grounds to conclude that the family members assisted Mr. Johnson in parental duties. There is no testimony from any party stating they changed diapers, made bottles, or performed disciplinary actions. Instead the members of Mr. Johnson's family were partaking in more recreational, leisure, and community aspects of the child's development. This interaction has given the child a wider array of activities to become involved in. There is nothing on record to indicate that the family members had any extra involvement in typical parental duties other than those residing in Mr. Johnson's parents' house shared dinner making duties. And again further allowing the child to indulge in a wider palette then just Mr. Johnson. This is a positive interaction for the child and the court erred by not realizing the importance of these relationships and how they functioned.

To directly address the trial court oral findings, the court says Timothy worked consistently throughout the relationship.(RP. 13:3, Nov.

02, 2015) This is far from fact and is not supported by the record.

Timothy worked for the first 3 months of A.V.J.'s life at Comcast through a temporary staffing agency, Then again at Go Wireless for 4 months November of 2012 to February 2013, a time frame of 4 months, and finally no other employment again until after the separation. That totals 7 months. The trial court attempting to lessen Timothy's available parenting time with A.V.J. during the relationship by stating his time in "rehab."

This statement is vague and allows the trial court to assert it how it pleases. There is no reason to believe that treatment required a considerable amount of time that took away from Timothy's overall ability to perform parental duties. And having some time in day care is also a positive experience for A.V.J. Allowing her time to socialize with other children outside of the home, learning to take instructions from another new authority figure, and furthering her learning through these new interactions and activities.

B. Shortly after filing action Ms. Johnson began collecting L&I benefits from an alleged work place injury that occurred well into the previous calendar year. Thus effectively ending her normal work schedule. During this

time has Ms. Johnson shown her recent flexibility of time mean that the time would be or has been used proactively for the betterment of the minor child in this case?

Due to the separation of Mr. Johnson and Ms. Johnson, Mr. Johnson had to become employed to provide for the child and himself. Shortly after filing the initial action with the Superior Court Ms. Johnson went on to a Labor and Industries related leave of absence from her position at Rent-A-Center. (RP. Vol. 3 206:14) During this time Ms. Johnson had no other obligations on the record. This increased her ability to spend more time with child and use it to the overall betterment of the child's relationship needs with her as well as an opportunity to become more involved in the child's developmental needs. The issue here is did she use that effectively in the present time and with her history of long work hours is there reason to believe that she will be able to maintain this availability and use it to the advantage of the child? Mr. Johnson during his time in Sumner, Port Angeles, and Bellingham was able to create and promote relationships with family and friends in the home and in the areas. Mr. Johnson was able to meet all of the child's parenting needs during the time the couple resided in those places. Which evident through the fact that there is no information on record to dispute this. As the sole

driver in the family unit of Mr. Johnson and Ms. Johnson, Ms. Johnson transported A.V.J. to doctor appointments and would have been privy to concerns from a medical professional. If there was a concern there is no reason to believe that the information would have not been made available at the time of trial. There is a claim by T. Steele that she has only seen Mr. Johnson use a microwave and never prepare a meal for A.V.J. while staying in her home. (RP. Vol. 2, 190:1) Later in the testimony it is revealed that T. Steele had only been home on a few different nights while the couple stayed in her home(RP Vol. 2, 197:1) and her primary function on her visits to Bellingham was to allow the couple a date night, inferring that they went out for dinner. (RP Vol. 2, 202:1)

Another point of interest in this issue is the request at the trial for counseling. There will be more on this later but for the purposes here it should be noted that there is no claims of the child needing counseling during the relationship leading to believe that no interested party in the welfare of the child had a concern to place the child in counseling.

Now to bring the proceeding information in to context of the issue is that once Ms. Johnson gained the ability to be away from work for an extended period of time how did she continue what had been established by Mr. Johnson or to create her own expanded experiences to the

betterment of the A.V.J.? Her testimony doesn't consist of play dates or social interaction within the same developmental or physical age range. In fact she only mentions interactions with the other children in Jennifer's household and none outside of the house hold. Her testimony on helping the child learn and prepare for preschool or kindergarten is vague and not realistic in consideration to the fact an infant is in her care at the time. Certainly one could assume that she did work on letters and numbers as she states. (RP Vol. 3, 229:14) The quality of the testimony here is lessened by the fact that Ms. Johnson is that how after spending 3 and half hours a day on these specific topics and there is no realization of any progress occurring nor is there an understanding of how she is spending that amount time and meeting to the needs of her infant son. At the time of trial there was roughly 14 months that had passed since the filing of this action in superior court. During that time there is only a single mention of Ms. Johnson's entire household engaging in an activity together. (RP. Vol. 2, 161:14)

To juxtapose what Ms. Johnson and Mr. Johnson have been able to accomplish during the time frame that this matter was brought to trial and the separation. Mr. Johnson actively sought and obtained employment. This employment in the beginning was not consistent as most of it came

through a temporary job agency. (RP. Vol. 3, 292:22) Mr. Johnson sought employment that promoted a parent friendly schedule. When the work did not meet this expectation he sought other work. (RP. Vol. 5, 483:8) He was able to continue building upon the bond of the child and other family members and the child's friends. When seeing that the separation and abusive use of conflict by Jennifer could be causing stress and issues for the child, he looked into finding ways he could better assist the child cope. This would eventually lead Timothy to work with Kristine Clay. During this time frame they together would strategize and go over concerns of his and ways he could address them. Mr. Johnson understands that the trial court sees the number of sessions of these two and opinionates that it must be from a lack of confidence in parenting abilities. But its reality is a stark contrast to that presumption. One would not reasonably state that furthering education is a sign of not being able to perform any sort of action. We don't tell students going to college they are doing so because they don't have confidence in what they learned in high school. We go to college in hopes to further our knowledge on a subject or area that is important to us. Mr. Johnson is a father who wanted to further his knowledge on what was going with the child in a situation he had never been in. This wasn't a few meetings so that someone could teach Mr. Johnson how to feed and dress a child. This separation is going to continue

and based on Jennifer's aggressive tendencies and refusal to co parent with Timothy, he sought out long term solutions and strategies.

Mr. Johnson also used various techniques to help prepare the child for school. He used many different tools and expanded on to other subject areas other than that of just numbers and letters. This included but was not limited to socialization and emotions. (RP. Vol. 4, 444:20-446:25) Mr. Johnson also researched the next step extensively. The next step of course being preschool. (RP Vol. 4, 340:18-341:18) Despite having a long term job prospect at 40 hours a week he was able to continue and build upon the child's changing needs.

Just because one parent is working and one is not, does not mean the parent who is recently at home full time has utilized the time effectively or will begin doing so. There is a balance a single working parent that must be struck. In Ms. Johnson's case she was unable to do so during the relationship. Though it should be stated that she didn't have to find that balance to such a degree during the relationship due to Mr. Johnson being home with A.V.J. Regardless of whose claims the court believes Mr. Johnson was home and engaging in the parental responsibilities while Ms. Johnson earned the income. Ms. Johnson's answer to finding this balance after the separation was to go on a leave of

absence from an alleged incident that occurred close to a year before and shows little to no indication of how the additional time was used for the betterment of the child. Lastly the trial court seems to make no indication that with the child starting school in the fall of 2016 that the work schedule of Mr. Johnson bears less relevance as the child will be in school and neither parent can perform the usual parental duties as they having been doing so to that point.

C. Did the trial court apply appropriate weight to the factors as described in RCW 26.09.187?

RCW 26.09.187 3) RESIDENTIAL PROVISIONS.

(a) The court shall make residential provisions for each child which encourage each parent to maintain a loving, stable, and nurturing relationship with the child, consistent with the child's developmental level and the family's social and economic circumstances. The child's residential schedule shall be consistent with RCW 26.09.191. Where the limitations of RCW26.09.191 are not dispositive of the child's residential schedule, the court shall consider the following factors:

(i) The relative strength, nature, and stability of the child's relationship with each parent;

The strength, nature, and stability of the child's relationship with Mr. Johnson should not be understated. This is a unique and deeply bonded father and daughter. The trial court heard considerable testimony on this matter. All of which seems to have been disregarded in the final judgment. The trial court heard testimony from a parent coach who had witnessed said bond twice a month for about a year and half. She speaks of a great attunement between the two. (RP. Vol. 4, 433:22-435:7) The trial court hears the baby sitter and family members go in to detail about the relationship of the two from their personal observances.

This information is missing from Ms. Johnson and her witness's testimony. At the very least to any specifics and details of the relationship with the child. The counsel at trial representing Mr. Johnson points out in his closing arguments that T. Steele, who claims to be a master level social worker, doesn't say Ms. Johnson is a good mother. (RP. Vol. 5, 549:3)

(ii) The agreements of the parties, provided they were entered into knowingly and voluntarily;

Since the child was 3 months old and up until the separation its clear Mr. Johnson was a stay at home father. This never truly changes. Some small alterations that include daycare while the couple resided in Port Angeles. The reason for the day care at the time coincides with Mr. Johnson being in outpatient treatment. There is no reasoning that this wasn't an agreed arrangement. When Mr. Johnson separated from the relationship, the child went with him back to Port Angeles. There is no evidence that this wasn't a mutual decision.

(iii) Each parent's past and potential for future performance of parenting functions as defined in *RCW 26.09.004(3), including whether a parent has taken greater responsibility for performing parenting functions relating to the daily needs of the child;

Ms. Johnson worked 12 hours a day, 5 to 6 days a week, and Mr. Johnson stayed home with the child. This should be self-evident as to which parent had the greater responsibility of care for the child.

(iv) The emotional needs and developmental level of the child;

Mr. Johnson demonstrated that he was able to recognize the emotional needs and developmental needs of the child. Kristine Clay testifies that Mr. Johnson was able to come up with his own strategies to help the child and often not only implement strategies that the two would come up but expand on them. (RP. Vol. 4, 422:22-424:6)

Ms. Johnson shows little regard to this part of the child's needs. She claims to have asked Mr. Johnson once at some point to place the child in counseling. (RP. Vol. 3, 234:2-234:16) she then states she didn't ever bring it up again with him. There is no mention of it in court until trial. During the time she claims to have asked for counseling and up to the trial she offers no methods that she tried to help the child overcome whatever her reasoning for counseling was.

(v) The child's relationship with siblings and with other significant adults, as well as the child's involvement with his or her physical surroundings, school, or other significant activities;

Mr. Johnson has for the entirety of the child's upbringing has made substantial efforts to build the relationships of those family members who are actively apart of the child's life. The trial court also recognizes that the child has been a part of the community as well as friends in both Port

Angeles and the Kent area while with the father. The trial court erred in reducing the father's residential time as it effectively reduces the ability of Mr. Johnson to continue these relationships and activities.

The child has a half sibling with Ms. Johnson. That should be an important part of the child's circle of relationships. But it is fair easier for Ms. Johnson to foster that relationship as they reside in the same home. Which is also true of the step siblings from Ms. Johnson's new relationship.

2. The trial court erred in granting sole decision making on education and health care to the mother in the Final Parenting Plan entered on Dec. 4, 2015.

Decision making is not only a coveted right for any parent but a constitutional one. The trial court removed this right from Mr. Johnson in a grievous error citing an inability to communicate. There no indication that Timothy has the inability to communicate with Jennifer and has tried to make an effort to branch out of simply text messages. All of which Jennifer did not reciprocate the communication back. Timothy is taking on the full consequences of the communication issue. If the trial court states neither parent is able to communicate then why is Timothy forced to bear

the limitations in the final judgement? The issue of sole decision making is covered by Mr. Johnson's counsel's motion for reconsideration. (Memorandum of counsel in support of reconsideration, 1-19, Dec. 14, 2015) I would ask for that to be reviewed as it is far better written than the per se version here. As well as attempt to not be more duplicative than necessary.

Both parties in this case sought joint decision making from the onset of this action. The change occurs in the days leading up to trial when information was found that led to a concern that Ms. Johnson may not be protecting the child from potential harm as well as a concern as to what maybe going on within her household. This information will be discussed in some detail in this section on the Assignment of Error 4.

3. The trial court erred in determining who was responsible for the abusive use of conflict after the separation of Mr. and Ms. Johnson.

A. Ms. Johnson has a lengthy history in regards to violence and conflict in relationships with past partners that resulted

in criminal charges and even lead to her harming herself.
Was this information properly allocated into the trial court
decision? (Assignment of Error 3)

The trial court determines that both parties acted in detrimental actions that lead the court to believe that co-parenting was unobtainable. (RP. 14:13-14:20. Nov. 02, 2015) Mr. Johnson argues that is not true nor does the record show that have been an accurate account of the situation. Ms. Johnson has proven in her own testimony that she has actively engaged in Abusive use of Conflict in past relationships. (RP. Vol. 3 259:6-260:15) This testimony misses a criminal charge of domestic violence that appears on her JIS report that could also easily be determined to follow the same pattern. If Ms. Johnson has a history of violent behavior in regards to relationships, why would the trial court not figure that information in to its decision? Ms. Johnson has not shown a sufficient amount of rehabilitation or counseling to resolve these previous and ongoing issues. She first claims she has received no treatment other than a school counselor before asserting there was a treatment for 2 weeks. There are no details on what this treatment entailed and no reason to believe that it created a successful resolution to the pattern of behavior that Ms.

Johnson has resorted to time and time again. Especially since the assault charge took place after the treatment.

B. Throughout the trial court proceedings there was an issue on the lack of communication between the parties. Is it evident that the lack of communication was used by Ms. Johnson as a means to create confusion and conflict?
(Assignment of Error 3.)

The trial court recognizes the importance of communication between parents in its final decision. The trial court finds as though Mr. Johnson was the aggressor in the lack of communication. The record paints a far different picture. Prior to the filing of the action in the trial court there is little reason to believe that there was trouble with communication. (RP. Vol 3. 219:1-219:6) The first decrease in communication begins with the action is initially filed. Ms. Johnson picks up the child for her week and cuts off communication with Mr. Johnson as she has no intention to return despite the agreed upon arrangement that had been going for a couple months. (RP. Vol. 3 245:13-245:21) The communication further regresses at the behest of Ms. Johnson following a

discussion between Mr. Johnson and Ms. Johnson. The exact nature of the discussion pertained to the settlement of the case amongst themselves but the specifics are disputed. Ms. Johnson later goes on to contradict her claim there is actually a communication problem on Timothy's end. (RP. Vol. 3, 217:23-218:23) Mr. Johnson claims that communication with Ms. Johnson is difficult but at least attempts to continue communication. Mr. Johnson works with the parent coach that testifies that she provided input on how to word texts to Ms. Johnson in a way to not entice further conflict. On the subject of the child's schooling Mr. Johnson reached out via email as an attempt at establishing another line of communication. (Ex. 30) Ms. Johnson did not respond via any form of communication. She did not present her options or opinion on his preferred preschool. This lead to A.V.J. not being able to participate in preschool. There is breakdown in communication and Jennifer offers no solutions or efforts on their part. The trial court offers that the basis of Mr. Johnson being the individual acting in an abusive manner on a single incident. (RP. 24:2-24:24. Nov. 02, 2015) Yet the testimony from both Mr. Johnson and Ms. Johnson offer a conflicting version of the event as the trial court presented. If Ms. Johnson has Mr. Johnson's driver's

license number that she can run using the department of licensing website how would have refused to give Ms. Johnson his license. The trial court when pressed for a better explanation states that the record is clear. But the record is clear on that it refutes the trial court's assessment of what happened.

Jennifer's actions, past and present fall under RCW 26.09.191 (2)(a)(iii). If the court is to impose limitations it should have done so in a manner to do so to the parent who is creating the conflict and communications issues.

4. The trial court erred in its consideration of the relevancy in regards to the pornography issues and its implications.

A. In the days leading up to trial, Ms. Johnson's Fiancé was found to have over a period of time and fairly recently created multiple websites that contained inappropriate material juxtaposed to photos of his children. Should it have been investigated in order to determine what implications of harm it presents to the minor child in this case? (Assignment of Error 4.)

Similar to Assignment of Error 2, I would ask the appellate court to review the Memorandum of counsel in support for reconsideration for its information on this subject. The issue at hand is that Mr. Maxwell knowingly created several websites. These various sites had to be manually set up. Once the sites were created they were populated with similar subject matter. Usually pornography and his children. He set no privacy settings on these sites though it was an option to do so. Ms. Johnson and Mr. Maxwell's son Donavon were added as friends to at least one of these sites. Mr. Maxwell had to send or accept the friend request.

Ms. Johnson has had a tragic event early in her life with her father. Is there a reasonable conclusion and concern that based on her ongoing relationship with her father despite any reported counseling that Ms. Johnson may be desensitized to such matters?

The guardian ad litem did an unannounced visit to the home of Mr. Maxwell and Ms. Johnson. The positive here is that she didn't see anything within that visit to further her concern. The other side here is the GAL had to consult with

another specialist to better understand what she was actually viewing as it pertained the child and the other members of the household on the websites. It was based on that information that the GAL initiated the visit on the home. Is it reasonable to say the GAL may have not known what to look for? And secondly the information found was on a digital platform and not hardcopies such as physical photographs. There is no mention of anyone looking in to the internet capable devices within the home. If the issue arises from Mr. Maxwell's phone, tablets, computer, and/or etc. and those devices went unchecked is there any understanding that the problem was actually solved. The trial court states the sites were taken down and safeguards were put in place. The record shows that the sites were taken down only after Mr. Maxwell's many sites had been found by Mr. Johnson's counsel. And as far as safeguards being put in place those would be the words of the trial court and not information to be found in the record.

Conclusion

From the appellate court, Timothy asks that it finds he did act with a greater responsibility of the parenting duties during the time the couple was together. That his 7 months of employment or treatment did not interfere in that manner. That just because other people, in this case family members, reside in the same home doesn't mean that they performed parenting duties and that it deserves to be appropriately weighed in consideration to the factors in RCW 26.09.187

That Jennifer has a history with abusive use of conflict in past relationships and that she is continuing that pattern of behavior in this case. That Jennifer should have limitations imposed on her based on RCW 26.09.191.

That the trial court erred in not accounting for the past mutual agreements during and after the separation of Mr. and Ms. Johnson.


Timothy also asks that he cannot be solely subject to limitations in his residential time or decision making that isn't equally afforded to Jennifer if both parties are found to be acting in equally detrimental ways.

That sole decision making was granted to Jennifer in error of law under RCW 26.09.187 (2)(b)(ii) and RCW 26.09.187 (2)(b)(iii). That at least mutual decision making should be in place.

Finally that due to potential harm and inadequate information regarding Mr. Maxwell's websites that he be limited in his contact with A.V.J. until a professional with the ability to do so can look into the issue fully and completely to ensure the safety of A.V.J.

July 19, 2016

Respectfully submitted,


Timothy Johnson, *per se*

COURT OF APPEALS DIVISION II OF THE STATE OF WASHINGTON

Superior Court No. 14-3-02245-9

Court of Appeals No. 48414-5-II)

Timothy Johnson,)

Appellant)

v.)

Jennifer Johnson,)

Respondent)

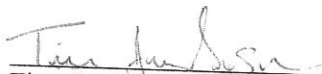
Statement of Notice

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The appellant, Timothy Johnson notified the following people on July 22, 2016 have been notified that the corrected opening brief has been filed.

1. Respondent Jennifer Johnson-Certified Mail
2. Attorney for Respondent Stephen Downing-Certified Mail

Signed



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